

Exhibit V

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December 6, 2011

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Via E-Mail

Kimberly Herb, Esq.
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue NW
Washington, DC 20530

Re: *Vietnam Veterans of America, et al. v. Central Intelligence Agency, et al.*,
No. CV 09-0037 CW (N.D. Cal.)

Dear Ms. Herb:

I am writing regarding documents contained in the MKULTRA FOIA set that the Central Intelligence Agency ("CIA") provided to Plaintiffs outside of discovery, as well as an additional matter.

MKULTRA FOIA Set

Pursuant to the Court's November 30, 2011 Order Re: Joint Letter Concerning Discovery Status and Disputes (Dkt. No. 330 at 5), Plaintiffs identify the documents listed on the attached chart and designated by MORI ID. Please let me know if you have any questions.

These requested documents include the July 26, 1963 Memorandum for the Director of Central Intelligence, Report of Inspection of MKULTRA, which appears at MORI 17748. In April 2010, the CIA provided us a version of this document, removing some redactions from the previous version, but did not produce the document nor flag the remaining redactions on Defendants' privilege log. To the extent that Defendants stand on the redactions contained in the April 2010 version, please list those remaining redactions on the privilege log.

Documents Produced Without Bates Numbers

Defendants have produced documents during depositions by providing binders used to prepare the witnesses. At least some of these documents, however, appear not to have been produced otherwise. Those documents should be Bates numbered so that we can avoid confusion.

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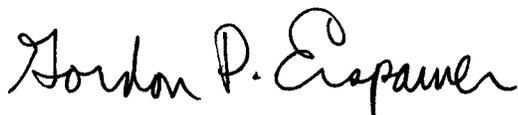
Kimberly Herb, Esq.
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For instance, at the November 9, 2011 deposition of Patricia Cameresi, Plaintiffs' counsel used a partially redacted document regarding MKULTRA Subproject 125 as Exhibit 595. This document was contained in a binder (Exhibit 541) that Dr. Michael Peterson reviewed in preparation for his October 25, 2011 Rule 30(b)(6) deposition. Defendants' counsel stated that, despite the absence of a Bates number on Exhibit 595, all documents contained in Exhibit 541 have been produced. We have not been able to identify another version of this document in Defendants' production, nor do the redactions appear on Defendants' privilege log. Accordingly, we ask that an unredacted version be produced or that any remaining redactions be logged, as contemplated by the Court's November 30, 2011 Order concerning Privilege Logs. (*See* Dkt. No. 330 at 5.)

In order to avoid future confusion, Plaintiffs request that Defendants formally produce with a Bates number all documents produced during depositions or otherwise that have not been previously produced *with a Bates number*.

Thank you for your time and attention.

Very truly yours,



Gordon P. Erspamer

cc: Joshua E. Gardner
Brigham Bowen
Lily Farel
Judson O. Littleton

Enclosure

Plaintiffs' Selection of MKULTRA FOIA Set Documents (12/06/2011)

MORI_ID No.	PAGES
17383	38
17445	202
17473	21
17748	42
17749	2
17755	9
144767	4
145002	3
145893	4
146120	4
146122	44
146134	1
146143	3
146170	11
146172	4
146193	5
146195	16
146200	2
146305	3
146419	8
148133	11
148251	3
148253	4
148255	4
149598	3
151525	1
151539	2
173603	2
173616	17
173876	5
184425	2
184428	15
184548	2
184606	1
190090	396